



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Age: 77	<u>TEMPORARY EXPIRES 10/02/14</u>	NEEDS/PROBLEMS/COMMENTS:
	HEATHER AGUIRRE , daughter, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers.	Voting rights affected, need minute order.
		Court Investigator advised rights on 09/19/14.
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Declaration of Ara Soghomonian, M.D. supports request for medical consent powers and the dementia power to administer dementia medications.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states the proposed conservatee has been diagnosed with Dementia. He was recently released from a civil commitment at Coalinga State Hospital to an assisted living facility in Clovis. He left the hospital with no supplemental insurance, which is necessary for his current and ongoing physician appointments and medications. Conservatorship of the person is requested so that petitioner can seek supplemental insurance on behalf of the conservatee and to make important health and medical decisions for him.	1. Petitioner is requesting dementia powers, but the Petition is missing the Attachment Requesting Special Orders Regarding Dementia. It is therefore unclear what dementia powers are requested.
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		2. Need receipt for watching Conservatorship Video.
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt x		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202	Court Investigator Charlotte Bien filed a report on 09/19/14.	
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 09/29/14
		Updates:
		Recommendation:
		File 1B - MacMurray

Probate Status Hearing Re: (1) Failure to File Inventory and Appraisal; (2) Failure to File a First Account or Petition for Final Distribution

DOD: 1-12-89	MARY ELLEN RODRIGUEZ and DOLORES TRUJILLO , Daughters, were appointed as Co-Administrators without IAEA and with bond of \$8,000.00 on 1-16-1990.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> The personal representative was represented by attorney Jin Ishikawa, who is now deceased. <u>Minute Order 8-14-14:</u> The Court needs the inventory and appraisal as well as an accounting. Mary Ellen Rodriguez is deceased. The Court directs that her death certificate be filed with the Court. The house is for sale for \$10,000.00. The matter is continued to cure the defects listed in the Examiner Notes. <ol style="list-style-type: none"> 1. Need Inventory and Appraisal. Probate Code §8800. 2. Need account or petition for final distribution. Probate Code §12200.
Cont. from 081414	Bond was filed and Letters issued on 1-17-1990.	
Aff.Sub.Wit.	Nothing further was filed.	
Verified	The open estate was discovered and the Court set this status hearing.	
Inventory	Notice of Status Hearing was sent to Dolores Trujillo on 7-2-14.	
PTC	<u>Note:</u> The original petition for probate estimated the estate to contain personal property valued at \$7,000.00 and real property valued at \$55,000.00; however, no Inventory and Appraisal was ever filed pursuant to Probate Code §8800.	
Not.Cred.	<u>Note:</u> The original petition indicated that the decedent had 10 adult children who would be heirs to this estate.	
Notice of Hrg		
Aff.Mail		
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Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9-29-14
		Updates:
		Recommendation:
		File 2 – Rodriguez

Atty Thompson, Charles

Atty Dmytryk, Peter L

Atty Keeler, William J.

Petition for Order Instructing the Co-Trustees to Vote the Trust's Limited Partnership Interest for Dissolution, for and Accounting, to Instruct Co-Trustees to Account as Agents Under Power of Attorney

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>History:</u></p> <ul style="list-style-type: none"> • This petition was filed 9-10-13 by Kathleen Whitehurst and set for hearing 10-21-13. • On 10-17-13, the co-trustees filed their objection and demurrer, which was set for 12-10-13. • Therefore, on 10-21-13, the petition was continued to 12-10-13. • Since that date, the parties have stipulated to continue the matter. • It is Examiner's understanding that an amended petition is expected; therefore, Examiner Notes have not been prepared for this matter at this time.
Cont. from 102113, 121013, 021114, 031814, 062314, 081914		
Aff.Sub.Wit.		
Verified		
Inventory		
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Notice of Hrg		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9-29-14
		Updates:
		Recommendation:
		File 4A – McCann

Atty Thompson, Charles

Atty Dmytryk, Peter L

Atty Keeler, William J.

Objection and Demurrer to Petition for Order Instructing the Co-Trustees to Vote the Trust's Limited Partnership Interest for Dissolution, for an Accounting, to Instruct Co-Trustees to Account as Agents Under Power of Attorney

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Examiner Notes are not prepared for this type of filing.</p> <p><u>Note:</u> At this time, it is the Court's understanding that the Petitioner intended to file an amended petition by 10-2-14, which would take this hearing date off calendar and render the demurrer moot. However, as of 9-29-14, an amended petition has not been filed.</p>
Cont. from 121013, 021114, 031814, 062314, 081914		
Aff.Sub.Wit.		
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Notice of Hrg		
Aff.Mail		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9-29-14
		Updates:
		Recommendation:
		File 4B – McCann

Probate Status Hearing Re: (1) Failure to File Inventory and Appraisal; (2) Filing of First Account or Petition for Final Distribution

DOD: 9-22-11	<p>KATHLEEN M. NORKUNAS, Surviving Spouse, was appointed Executor with Full IAEA without bond and Letters issued on 9-4-12.</p> <p>No Inventory and Appraisal has been filed; however, the original petition for probate estimated that the estate contained personal property valued at \$450,000.00, income of \$20,000.00, and real property valued at \$250,000.00.</p> <p>On 8-15-13, the Court set this status hearing for failure to file Inventory and Appraisal and failure to file a first account or petition for final distribution. Notice was mailed to Attorney Weinberg on 8-15-13.</p>	NEEDS/PROBLEMS/COMMENTS:	
		<p>Continued from 11-15-14, 1-30-14, 5-1-14, 6-19-14, 8-14-14</p> <p>Update: On 5-9-14, an Inventory and Appraisal was filed indicating that the value of the estate at \$0. Attached is a letter from Attorney Weinberg requesting that Ms. Norkunas be discharged.</p> <p>Minute Order 8-4-14: The Court indicates that an unverified letter does not suffice to terminate the estate. If the estate contained assets then notices are required to be sent out. The Court orders Attorney Weinberg to be personally present at the next hearing.</p> <p>1. Need first account or petition for final distribution, or to terminate administration, or <u>verified</u> status report pursuant to probate code and local rules.</p> <p>Note: Per the decedent's will, Ms. Norkunas is the sole heir; however, Letters have issued and the estate must be properly closed with appropriate notice pursuant to applicable law.</p> <p>Note: An Ex Parte Petition for Discharge was submitted; however, discharge is not appropriate at this time without a final petition and order for distribution, or other <u>verified</u> petition to close the estate.</p>	
Cont. from 111513, 013014, 050114, 061914, 081414			
Aff.Sub.Wit.			
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Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 9-29-14	
		Updates:	
		Recommendation:	
		File 5 – Karlee	

8 Lindsay R. Green (Estate)

Case No. 13CEPR00258

Atty Knudson, David N.

Atty Mayhew, Kimberly L.

**Petition to Recover Assets, for Misappropriation of Funds, for Theft From an Elder,
for Financial Elder Abuse, to Compel Accounting by Attorney-in-Fact and for
Constructive Trust**

Age:		NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED TO 10/16/14</u> Per request of Counsel
DOD:		
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
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<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
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<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	Reviewed by:	
	Reviewed on: 09/29/14	
	Updates:	
	Recommendation:	
	File 8 - Green	

DOD: 08/21/2012	<p>GILDA N. WALKER, daughter, was appointed Administrator with Limited IAEA authority without bond on 08/16/2013. \$75,700.00 ordered to be placed in a Blocked account.</p> <p>Letters issued on 08/30/2013.</p> <p>Receipt for Blocked account in the amount of \$75,700.00 was filed on 09/24/2013.</p> <p>Inventory & Appraisal filed 10/30/2013 showing a value of \$191,350.00.</p> <p>Minute Order of 07/18/2013 set this status hearing for the filing of the First Account and/or Petition for Final Distribution.</p> <p>Status Report filed 09/24/2014 states the real property of the estate was listed for sale on 05/16/2014, by the Administrator. An offer was received on 07/26/2014, for \$115,000.00. A counter offer was made to the buyer on 07/31/2014. The buyer cancelled his offer on 07/31/2014. A modification to the listing agreement was signed on 08/15/2014, and the property is currently being actively marketed for sale on multiple listing service by Guarantee Real Estate. The estate is not in a condition to close.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 09/19/2014: No appearances. Status Report and appearance needed from firm.</p> <p>1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 091914		
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Status Rpt		
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Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 09/29/2014
		Updates:
		Recommendation:
		File 9 - Miles

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 01/18/14		<p>SANDRA BROWN, named Executor without bond, is Petitioner.</p> <p>Full IAEA – OK</p> <p>Will dated 01/12/01</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated Value of the Estate: Personal property - \$ 50,000.00 Real property - 86,000.00 Total - \$136,000.00</p> <p>Probate Referee: RICK SMITH</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Thursday, 02/05/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Thursday, 11/05/15 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 08/07/14</p> <p>As of 09/29/14, the following issues remain:</p> <ol style="list-style-type: none"> 1. The petition states that the decedent's original will was lost as it could not be located after his death. Pursuant to Probate Code § 6124, there is a presumption that the testator destroyed the will with an intent to revoke it if the original is unable to be located after the testators death and the original will was last in the testators possession. Petitioner does not allege any facts rebutting the presumption that decedent destroyed the will with intent to revoke it. Need more information/evidence that the testator did not destroy the will with intent to revoke it. 2. The Letters are not dated. Need Letters that are signed and dated. 3. The Petition is incomplete at item 5(a)(7) or (8) regarding issue of a predeceased child. 4. The Petition indicates that two beneficiaries of the will, Paulette Hayes and Ezola Ridley, are deceased. Pursuant to Local Rule 7.1.1D - If a beneficiary, heir, child, spouse, or registered domestic partner in any action before the Probate Court is deceased, that person's date of death shall be included in the petition.
Cont. from 080714			
<input checked="" type="checkbox"/>	Aff.Sub.Wit.		
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<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 09/29/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 – Robinson</p>	

Atty LeVan, Nancy J.
Atty Emerzian, David L

Status Conference Re: Litigation & Mediation

DOD: 2-7-07	LORENA GARCIA , Daughter is Administrator with limited IAEA without bond. Letters issued 7-21-08.	NEEDS/PROBLEMS/COMMENTS: Note: This Probate Court has held at least 16 status conferences since January 2010 regarding status of this litigation. The last status report was filed 8-27-13. Need current status report. See Local Rule 7.5.					
Cont. from 042613, 083013, 013014, 050114	<p>On 7-14-09, the Court approved a settlement agreement between Administrator (daughter) and Omega Ochoa Garcia (surviving spouse) and allowed continuation of estate administration pending certain issues:</p> <ol style="list-style-type: none"> 1) Retrial of the damages portion of Civil Case # 04CECG03607 Garcia v. Roberts; and 2) Receipt of proceeds due from an eminent domain matter 						
Aff.Sub.Wit.							
Verified							
Inventory							
PTC							
Not.Cred.							
Notice of Hrg	<p>On 10-4-11 (the 7th status hearing regarding retrial of the damages issue), Attorney Emerzian advised the Court that a motion for a new trial was denied and an appeal has been filed, and that deposits need to be made. The Court set this hearing for further status.</p>						
Aff.Mail							
Aff.Pub.							
Sp.Ntc.							
Pers.Serv.							
Conf. Screen	<p>Status Report filed 12-1-11 by Attorney LeVan states that Attorney Ty Kharazi filed a Notice of Appeal on behalf of his clients, the Roberts'. The Fifth District Court of Appeal has set a mediation for the parties on 12-12-11. Attorney LeVan requests to set a status hearing in March 2012 to follow the progress of the appeal.</p>						
Letters							
Duties/Supp							
Objections							
Video Receipt	<p>Minute Order 12-6-12: No appearances. Matter continued to 3-13-12.</p>						
CI Report	<p>Minute Order 3-13-12: Counsel informs the Court that the case has been appealed. Matter continued to 9-13-12, then 3-14-13.</p>						
9202	<p>Status Report filed 3-13-13 states there are no entries in the civil docket regarding appeal since 1-8-13. Until that matter is decided, we do not know what the final I&A will be. Attorney LeVan requests a six-month continuance for resolution of the appeal.</p>						
Order	<p>Minute Order 3-14-13: The Court orders all attorneys involved in case 04CECG03607 appear for status conference on 4-26-13. Order to Show Cause for attorneys regarding the status of litigation and status of mediation.</p>						
Aff. Posting	<p>Minute Order 4-26-13: Counsel informs the Court that the appeal matter has been fully briefed. The Court directs Mr. Hannah and Mr. Littlewood to submit a joint status letter to Ms. LeVan so she can update the Court at the next hearing.</p>						
Status Rpt							
UCCJEA							
Citation							
FTB Notice	<p>A Status Report (not verified by Administrator) was filed 8-27-13: See Page 2</p>						
		<table border="1" style="width: 100%;"> <tr> <td>Reviewed by: skc</td> </tr> <tr> <td>Reviewed on: 9-29-14</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 16 - Garcia</td> </tr> </table>	Reviewed by: skc	Reviewed on: 9-29-14	Updates:	Recommendation:	File 16 - Garcia
Reviewed by: skc							
Reviewed on: 9-29-14							
Updates:							
Recommendation:							
File 16 - Garcia							

Page 2

Unverified Status Report states the estate of Johnny Garcia is currently in a holding pattern pending the outcome of the appeal of the civil matter which holds the bulk of the estate property. There have been no funds received into the estate from the \$184,798 awarded in 7/2011 due to the appeal filed by Atty. Kharazi in 9/2011 on behalf of the Roberts. The estate is not in a condition to be closed at this time.

The personal property listed on the inventory is currently in the possession of Omega Garcia (spouse) pursuant to the agreement that she was going to get one-half of the estate. This property was going to be part of her distribution.

Per docket, as of 7/30/13, oral argument notice was sent to both attorneys. On 8/6/13, Atty Kharazi requested oral argument, personal appearance. On 8/8/13, Atty Littlewood filed a conditional oral argument waiver or personal appearance. On 8/21/13, oral arguments were set for 9/18/13. See attached.

Until the civil matter is decided, we do not know what the final I&A amount will be. A six month continuance is requested.

Minute Order 8-30-13: Ms. Johnson is appearing specially for Ty Kharazi. The Court is advised that oral argument in the appellate court is set for 9-18-13.

Minute Order 1-30-14: Ms. LeVan is also appearing specially for William Littlewood. Mr. Kharazi is present in court with his client. The Court is informed that the appeal is done. The Court excuses Mr. Kharazi from further appearances in this matter. Mr. Kharazi indicates to the Court that he will remain as counsel of record for his client. Continued to: 5/1/14 at 09:00a.m. in Dept 303.

Minute Order 5-1-14: Counsel advises the Court that Mr. Little contacted her regarding the levy process.

As of 9-29-14, nothing further has been filed. Need status report, Final Inventory and Appraisal, and Petition for Final Distribution pursuant to Probate Code §12200.

